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21 Attorneys for Defendant
22 CONAGRA FOODS, INC.

23 UNITED STATES DISTRICT COURT
24 NORTHERN DISTRICT OF CALIFORNIA
25 SAN FRANCISCO DIVISION

26 LEVI JONES, CHRISTINE STURGES,
27 and EDD OZARD, individually and on
28 behalf of all others similarly situated,

Plaintiffs,

v.

CONAGRA FOODS, INC.,

Defendant.

Case No. 12-cv-1633-CRB

**STIPULATION AND
~~PROPOSED~~ ORDER SETTING
NEW HEARING DATE FOR
MOTION TO DISMISS**

The Hon. Charles R. Breyer

1 Plaintiffs and Defendant ConAgra Foods, Inc. ("Defendant" or "ConAgra"),
 2 by and through their respective counsel of record, enter into the following
 3 stipulation, based upon the recitals below:

- 4 1. In accordance with a schedule set by stipulation and Court order,
 5 ConAgra filed a Motion to Dismiss the Amended Complaint on August
 6 17, 2012;
- 7 2. Pursuant to stipulation, on August 29, 2012, the Court ordered that the
 8 Motion to Dismiss hearing and Initial Case Management Conference go
 9 forward on November 9, 2012;
- 10 3. On November 7, 2012, the Court continued the Motion to Dismiss hearing
 11 date and Initial Case Management Conference to November 16, 2012 at
 12 10:00 AM;
- 13 4. Counsel for Defendant has a conflicting court appearance on November
 14 16, 2012;
- 15 5. Counsel for the parties have conferred and agreed to jointly request that
 16 the Court reschedule the Motion To Dismiss hearing and Initial Case
 17 Management Conference to accommodate Defendant's counsel conflict;
- 18 6. The parties have agreed, subject to Court approval, to reschedule the
 19 hearing date for the Motion to Dismiss and Initial Case Management
 20 Conference to either December 7, 2012 or December 14, 2012 –
 21 whichever is most convenient for the Court.

22
 23 **IT IS SO STIPULATED.**

24
 25 Dated: November 12, 2012

HOGAN LOVELLS US LLP

26 By: /s/ Robert B. Hawk
 27 Robert B. Hawk
 28 Attorneys for Defendant
 CONAGRA FOODS, INC.

1
2 Dated: November 12, 2012

PRATT & ASSOCIATES

3 By: /s/ Ben F. Pierce Gore

4 Ben F. Pierce Gore

5 Attorneys for Plaintiff

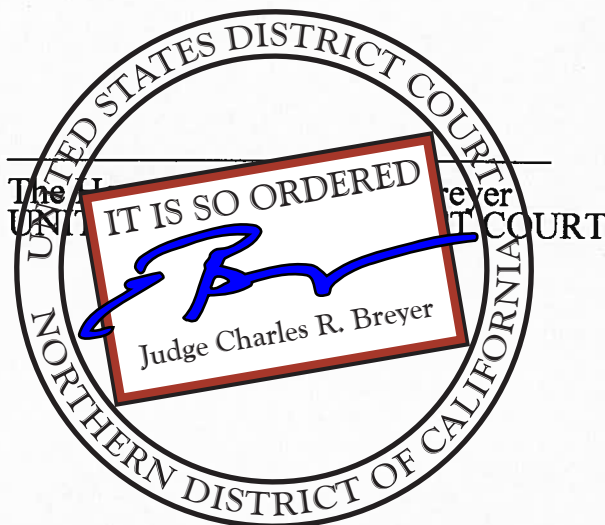
6 LEVI JONES

7 **ORDER**

8
9 PURSUANT TO STIPULATION, and good cause appearing, the Court
10 orders the hearing on Defendant's Motion to Dismiss and Initial Case Management
11 conference shall be on December 14, 2012 at 10:00 a.m.

12
13 IT IS SO ORDERED.

14
15 Dated: November 13, 2012



23
24 I, Robert B. Hawk, attest that Ben F. Pierce Gore has read and approved the
25 Stipulation And [Proposed] Order Setting New Hearing Date For Motion To
26 Dismiss and consents to its filing in this action.
27
28